

SENATE BILL NO. 233

BY SENATOR MIZELL

1 AN ACT

2 To enact Subpart F of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised
3 Statutes of 1950, to be comprised of R.S. 39:18.1 through 18.3, relative to data
4 exchange; to establish the Louisiana Statewide Data Exchange Compact; to provide
5 for authorization and purpose; to provide for definitions; to provide for terms,
6 conditions, administration, and procedure; to provide for an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart F of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana
10 Revised Statutes of 1950, comprised of R.S. 39:18.1 through 18.3, is hereby enacted to read
11 as follows:

12 **SUBPART F. LOUISIANA STATEWIDE DATA EXCHANGE COMPACT**

13 **§18.1. Louisiana Statewide Data Exchange Compact; authorization and**
14 **purpose**

15 **The office of technology services is authorized to create the Louisiana**
16 **Statewide Data Exchange Compact pursuant to the provisions of this Subpart.**
17 **The Louisiana Statewide Data Exchange Compact shall establish a single legal**
18 **and technical framework for secure, privacy-compliant interagency data**
19 **sharing between the office of technology services and agencies as defined in this**
20 **Subpart. The Louisiana Statewide Data Exchange Compact shall facilitate**

1 disclosure of confidential information and describe each participating agency's
2 rights and obligations with respect to confidential information and the limited
3 purposes for which each agency may use or have access to confidential
4 information.

5 **§18.2. Definitions**

6 As used in this Subpart, the following terms shall have the following
7 meanings:

8 (1) "Agency" means either of the following:

9 (a) A department, board, bureau, commission, office, authority, council,
10 or institution of state government.

11 (b) A state university or college, a community or technical college, or any
12 service or part of a state institution of higher education.

13 (2) "Data exchange" means the secure and structured process of sharing
14 information between agencies, involving transforming data into compatible
15 formats to ensure seamless transfer, interoperability, and usability, allowing
16 agencies to gain insights, improve operations, and foster collaboration.

17 (3) "Louisiana Statewide Data Exchange Compact" means a collective
18 of data sharing and data security agreements entered into between participating
19 agencies and the office of technology services to facilitate an efficient and
20 consistent method of compliance with state and federal laws regarding data
21 sharing and data security.

22 **§18.3. Administration of the Louisiana Statewide Data Exchange Compact;**
23 **office of technology services**

24 A. The office of technology services shall serve as the Louisiana
25 Statewide Data Exchange Compact administrator and shall develop a template
26 for the Louisiana Statewide Data Exchange Compact.

27 B. The office of technology services shall establish a committee of
28 participating agencies that shall advise the office on the Louisiana Statewide
29 Data Exchange Compact and provide input on the establishment of the template
30 of the Louisiana Statewide Data Exchange Compact. The committee shall

1 review the Louisiana Statewide Data Exchange Compact at least biannually to
2 correspond with any changes to state and federal laws and the evolving data
3 security landscape and shall report any recommended changes to the template
4 or any rules adopted pursuant to this Section to the office of technology services.

5 C. The use of the Louisiana Statewide Data Exchange Compact by the
6 agency is voluntary and each participating agency at any time may determine
7 that the use of the Louisiana Statewide Data Exchange Compact is no longer
8 appropriate for the specific data and may amend its agreement, terminate its
9 participation in the Louisiana Statewide Data Exchange Compact, or pursue an
10 alternate approach to protecting data shared by the agency.

11 D. Each participating agency shall sign the Louisiana Statewide Data
12 Exchange Compact to serve as the primary governance document for the
13 safeguarding of data shared among agencies.

14 E. The Louisiana Statewide Data Exchange Compact shall specify that
15 the receiving agency shall establish, implement, and maintain administrative,
16 physical, and technical safeguards to preserve and maintain the confidentiality,
17 integrity, and availability of the confidential information disclosed to it by
18 another agency.

19 F. The office of technology services shall not acquire any ownership
20 rights or interest in data shared pursuant to the Louisiana Statewide Data
21 Exchange Compact. Each participating agency shall retain the ownership rights
22 of any data shared by the agency pursuant to the Louisiana Statewide Data
23 Exchange Compact.

24 G. The office of technology services shall promulgate rules, in
25 accordance with the Administrative Procedure Act, to implement the provisions
26 of this Subpart. Any proposed rules shall be submitted to the committee for
27 approval by a majority vote of the participating agencies prior to adoption and
28 implementation.

29 Section 2. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____